IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINETH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 10669 of 1996

Between:

Chintala Rama Rao, 45 years,

S/o.Chitti Pantulu, Contractor,

D.No.19/73(19/73), Navab Nagar, Gajuwaka,

Visakhapatnam District.

..... PETITIONER

AND

1. The Managing Director,

National Projects Constructions Corporation Limited,

(RPNN Ltd), Plot No.67-68, Sector 25,

Faridabad, Haryana-121003.

2. The Deputy General Manager,

National Projects Construction Corporation Limited,

(RPNN Ltd) D.No.47-9-31, 1st floor,

3rd lane, Dwarakanagar, Visakhapatnam.

..... RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or order or direction, directing the respondents to pay the petitioner an amount of Rs.3,65,722/- together with interest @ 18% per annum from the date of due of amount towards the bills submitted by the petitioner for the works completed by him vide work orders Nos.20/5,32/18 and 47/15 by declaring the action of the respondents in not paying the amounts due to the petitioner as arbitrary and discriminatory.

Counsel for the Petitioner: MR.T.NIRANJAN REDDY

Counsel for the Respondents: MR.NUTY RAM MOHAN RAO

The Court at the stage of admission made the following

ORDER:

The petitioner was entrusted with certain works by the respondent-Corporation at the cost of Rs.3,50,000/- and subsequently, the cost was revised to Rs.11,00,000/-.

The petitioner contends that he completed all the works under the supervision of the officers of respondent-Corporation.

The measurements were also done and entries were made in the 'M' book and part payments were also made for those works. The petitioner further contends that he completed the works by 30-10-1992.

The grievance of the petitioner is that the respondent-Corporation, so far, did not pay the amounts due to him under the bills. He, therefore, approached this Court seeking a direction to the respondent-Corporation to pay an amount of Rs.3,65,722/- to him towards value of the works completed by him.

The respondents resisted the claim on the ground that they are the disputed items of bills payable to the petitioner.

If there is any dispute with regard to the amounts payable to the petitioner, no direction can be given by this Court and the petitioner will always have the liberty to approach the appropriate forum for getting settlement of the disputes regarding amounts payable to him. If there are any amounts due to the petitioner, which are not disputed by the respondent-Corporation and if there are any documents required to be produced by the petitioner in respect of those amounts, the respondents are

directed to arrange payment of such undisputed amounts on fulfillment of the condition, if any, by the petitioner by way of producing or executing the requisite documents.

The Writ Petition is accordingly disposed of. No costs.

_____

Dr.G.Yethirajulu, J

29th September, 2004

lsn

To

1. The Managing Director,

National Projects Constructions Corporation Limited,

(RPNN Ltd), Plot No.67-68, Sector 25,

Faridabad, Haryana-121003.

2. The Deputy General Manager,

National Projects Construction Corporation Limited,

(RPNN Ltd) D.No.47-9-31, 1st floor,

3rd lane, Dwarakanagar, Visakhapatnam.

3. Two CD copies.